

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

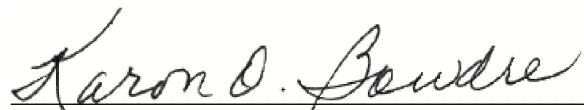
|                           |   |                 |
|---------------------------|---|-----------------|
| ROBERT BROWN,             | ) |                 |
|                           | ) |                 |
| Petitioner,               | ) |                 |
|                           | ) |                 |
| v.                        | ) | CV 08-PWG-965-E |
|                           | ) |                 |
| KENNETH JONES, Warden;    | ) |                 |
| ATTORNEY GENERAL FOR THE  | ) |                 |
| STATE OF ALABAMA, ET AL., | ) |                 |
|                           | ) |                 |
| Respondents.              | ) |                 |

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on December 2, 2008 recommending that the petition for writ of habeas corpus be denied. On December 9, 2008 petitioner filed objections to the findings and recommendation. Those objections, for the most part, contain the same or similar legal arguments rejected by the Magistrate Judge. Although the Recommendation encouraged the Petitioner to specifically address the factual issues, his objection only contained conclusory statements without factual support.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation and the objections filed by the petitioner, the court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DENIED. A Final Judgment will be entered.

DONE and ORDERED this 12<sup>th</sup> day of December 2008.

  
KARON OWEN BOWDRE  
UNITED STATES DISTRICT JUDGE